

House File 2418 - Introduced

HOUSE FILE 2418

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 165)

A BILL FOR

1 An Act establishing a length of service award program for
2 volunteer fire fighters, concerning income tax deductions
3 for volunteer fire fighters, making appropriations, and
4 including effective date provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 100B.2, Code 2018, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 9. Establish a length of service
4 award program for volunteer fire fighters pursuant to the
5 requirements of section 100B.41.

6 Sec. 2. NEW SECTION. 100B.41 Length of service award
7 program.

8 The state fire service and emergency response council, in
9 consultation with the department of administrative services,
10 shall establish a length of service award program for volunteer
11 fire fighters as defined in section 85.61. The program shall
12 provide length of service awards, as described in section
13 457(e)(11) of the Internal Revenue Code, to volunteer fire
14 fighters of a fire department of a municipality, township,
15 or benefited fire district that elects to participate in the
16 program. The program shall be designed to treat awards from
17 the program as a tax-deferred benefit under the Internal
18 Revenue Code. The council shall develop and submit to the
19 state fire marshal for adoption rules providing for minimum
20 contribution requirements, eligibility requirements for
21 participation by volunteer fire fighters, minimum vesting
22 requirements, and such other rules as deemed necessary to
23 operate the program.

24 Sec. 3. Section 422.12, subsection 1, paragraph f, Code
25 2018, is amended by striking the paragraph.

26 Sec. 4. Section 422.12, subsection 2, paragraph c, Code
27 2018, is amended to read as follows:

28 c. (1) ~~A volunteer fire fighter and~~ volunteer emergency
29 medical services personnel member credit equal to one hundred
30 dollars to compensate the taxpayer for the voluntary services
31 if the volunteer served for the entire tax year. A taxpayer
32 who is a paid employee of an emergency medical services program
33 ~~or a fire department~~ and who is also a volunteer emergency
34 medical services personnel member ~~or volunteer fire fighter~~ in
35 a city, county, or area governed by an agreement pursuant to

1 chapter 28E where the emergency medical services program ~~or~~
2 ~~fire department~~ performs services, shall qualify for the credit
3 provided under this paragraph "c".

4 (2) If the taxpayer is not a ~~volunteer fire fighter or~~
5 volunteer emergency medical services personnel member for
6 the entire tax year, the maximum amount of the credit shall
7 be prorated and the amount of credit for the taxpayer shall
8 equal the maximum amount of credit for the tax year, divided by
9 twelve, multiplied by the number of months in the tax year the
10 taxpayer was a volunteer. The credit shall be rounded to the
11 nearest dollar. If the taxpayer is a volunteer during any part
12 of a month, the taxpayer shall be considered a volunteer for
13 the entire month. ~~If the taxpayer is a volunteer fire fighter~~
14 ~~and a volunteer emergency medical services personnel member~~
15 ~~during the same month, a credit may be claimed for only one~~
16 ~~volunteer position for that month.~~

17 (3) The taxpayer is required to have a written statement
18 from the ~~fire chief or other~~ appropriate supervisor verifying
19 that the taxpayer was a ~~volunteer fire fighter or~~ volunteer
20 emergency medical services personnel member for the months for
21 which the credit under this paragraph "c" is claimed.

22 Sec. 5. Section 422.12, subsection 2, paragraph d,
23 subparagraph (3), Code 2018, is amended to read as follows:

24 (3) If the taxpayer is a reserve peace officer during
25 the same month as the taxpayer is a ~~volunteer fire fighter~~
26 ~~or~~ volunteer emergency medical services personnel member, as
27 defined in [this section](#), a credit may be claimed for only one
28 position for that month under either paragraph "c" or this
29 paragraph "d".

30 Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate
31 importance, takes effect upon enactment.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with
34 the explanation's substance by the members of the general assembly.

35 This bill requires the state fire service and emergency

1 response council, in consultation with the department of
2 administrative services, to establish a length of service award
3 program for volunteer fire fighters. The program shall provide
4 for a minimum contribution to the plan from a participating
5 municipality, township, or benefited fire district, but
6 participation in the plan by such an entity is optional. The
7 council is also required to develop rules for adoption by the
8 state fire marshal governing minimum contribution requirements,
9 eligibility requirements for participation by volunteer fire
10 fighters, and such other rules as deemed necessary to operate
11 the program.

12 Code section 422.12, concerning deductions from income tax,
13 is amended to eliminate the volunteer fire fighter tax credit
14 equal to \$100 to compensate the volunteer if the volunteer
15 served for the entire tax year.

16 The bill takes effect upon enactment.